THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.25982 of 2006

DATED 26.12.2006

Between:

K.Siva Prasad. .... PETITIONER

versus

The Srikalahasthi Municipality, Srikalahasthi, represented by its Commissioner, Chittoor District and another. .... RESPONDENTS

WRIT PETITION NO.25982 of 2006

ORDER:

This Court ordered Notice Before Admission on 15.12.2006. Sri S.I. Newton, learned Standing Counsel had taken notice on behalf of respondent No.1. The learned counsel for the petitioner was also permitted to take out notice to 2nd respondent and file proof of service. Proof of service is filed.

2. Several factual details narrated in the affidavit filed in support of the Writ Petition need not be dealt with in detail for the reason that Writ Petition No.9564 of2006 was disposed of by this Court by order dated 27.6.2006 directing as hereunder:

> "On overall appreciation of the facts and circumstances, inasmuch as the impugned order was made without considering the representation dated 15.1.2005, which appears to be a representation containing several details, this Court is of the considered opinion that the impugned order is liable to be set aside and accordingly the same is hereby set aside. However, the first respondent is at liberty to take into consideration all the

facts and circumstances inclusive of the representation of the petitioner dated 15.11.2005 and pass appropriate orders on merits and in accordance with law, inclusive of several proceedings. It is needless to say that the second respondent also be heard in this matter, since it is stated that he is the real affected party.

Accordingly the Writ Petition is disposed of. No costs".

3. The main grievance of the writ petitioner is that though the Writ Petition was disposed of inasmuch as no time as such had been specified, no further action is being initiated in this regard. In the light of the directions already issued supra in Writ Petition No.9564 of 2006, this Court is of the considered opinion that this Writ Petition be disposed of directing the 1st respondent to take into consideration all the facts and circumstances inclusive of the representation of the petitioner dated 15.11.2005 and pass appropriate orders on merits in accordance with law, inclusive of several proceedings, after putting the 2nd respondent on notice in the event of the 1st respondent being of the opinion that the 2nd respondent also would be an affected party, within a period of four (04) weeks from the date of receipt of a copy of this order.

4. With the directions indicated above, the Writ Petition is disposed of. No costs.

26.12.2006

SSR